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Report of the Secretary-General on children and armed conflict in Somalia

Summary

The present report, submitted pursuant to Security Council resolution 1612 (2005) and subsequent resolutions, is the fourth report of the Secretary-General on children and armed conflict in Somalia. It covers the period from 1 April 2010 to 31 July 2016. The report focuses on the six grave violations committed against children and provides information on the perpetrators and the context in which the violations took place.

The report sets out the trends and patterns of grave violations against children by all parties to the conflict and underlines the worsening impact of armed conflict on children. It also raises concerns about the detention of children. The report sets out progress made in addressing grave violations against children, including in the legislative framework of Somalia and through the adoption and implementation of action plans.

Lastly, the report provides a series of recommendations to end and prevent grave violations against children in Somalia and improve their protection.

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I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1612 (2005) and subsequent resolutions on children and armed conflict and covers the period from 1 April 2010 to 31 July 2016. It describes the trends and patterns of grave violations committed against children since my previous report (S/2010/577) and outlines the progress and challenges since the adoption of the conclusions by the Working Group on Children and Armed Conflict in March 2011 (S/AC.51/2011/12). Where possible, the parties to the conflict that are responsible for grave violations are identified in the report. In that regard, in the annexes to my most recent annual report on children and armed conflict issued in June 2016 (A/70/836-S/2016/360), Al-Shabaab, Ahl al-Sunna wal-Jama'a and the Somali National Army are listed for child recruitment and use. The Somali National Army is listed for killing and maiming and Al-Shabaab for the killing and maiming as well as abduction of children.

2. Notwithstanding significant political developments in Somalia during the reporting period, the security situation remained highly volatile, resulting in large numbers of civilian casualties, including children. Multiple national and international actors have been involved in the fight against Al-Shabaab. The reporting period also witnessed continued violence involving clan militias and the alignment of various regional forces, mostly composed of clan-based militias, with the emerging federal states. Those developments led to an extremely complex situation, which heavily affected children.

3. Monitoring and reporting activities were significantly hindered by the security situation, ongoing military operations and very limited access to affected populations. With much of southern and central Somalia remaining inaccessible during the reporting period, it is important to note that the information contained in the present report is only indicative of the full extent of grave violations committed against children.

II. Overview of the political and security situation and parties to conflict

A. Political and security developments

4. The eight-year political transition in Somalia concluded on 1 August 2012 following the adoption of the Provisional Federal Constitution and the establishment of the Federal Parliament and Government on 20 August. One of the major aspects of state-building was the envisaged establishment of a federal system through the creation of regional states. On 28 August 2013, the Interim Jubba Administration was formed, followed by the Interim South-West Administration, the Galmudug Interim Administration and the HirShabelle Interim Administration. The establishment of the Galmudug Interim Administration led to clashes with Puntland and between pro-Federal Government forces and Ahl al-Sunna wal-Jama'a, resulting in civilian casualties.

5. Al-Shabaab announced its retreat from Mogadishu in August 2011 following military operations by the African Union Mission in Somalia (AMISOM) and Transitional Federal Government forces. With the subsequent intensification of operations against Al-Shabaab in southern and central Somalia, the country task force on monitoring and reporting received increasing reports of grave violations by all parties to conflict. During the reporting period, significant territorial gains were made in southern and central Somalia by the Somali National Army and allied militias, with the support of AMISOM. In mid-2015, AMISOM and the Somali National Army launched a joint military operation against Al-Shabaab, code named "Operation Juba Corridor". With the loss of its strongholds and the weakening of its forces, Al-Shabaab increasingly resorted to asymmetrical attacks against the Somali National Army, AMISOM and soft targets, including through ambushes, hit-and-run attacks, suicide bombings and the use of improvised explosive devices, often resulting in heavy civilian casualties, including children. Later in the reporting period, Al-Shabaab extended its activities to Puntland. In March 2016, an attempted large-scale advance by Al-Shabaab into Puntland and Mudug was repelled by Puntland and Galmudug Interim Administration forces. The Government of Puntland reported that its forces had killed 208 Al-Shabaab fighters and captured 100, including children, while the Galmudug Interim Administration announced that its forces had killed 115 and captured 110, including children. Notwithstanding serious setbacks and loss of control of key towns and urban centres, large swaths of territory and key transport routes remained in the hands of Al-Shabaab.

B. Parties to the conflict

Federal Government of Somalia security forces

6. As specified in the Provisional Federal Constitution, the Federal Government of Somalia security forces are composed of its national army, intelligence services and police and prison forces. Additionally, various entities operated in different combinations in support of the Somali National Army, including clan militias and regional security forces. The integration of militia and regional forces into the Somali National Army progressed in the reporting period, albeit slowly. The lack of a precise overview of the composition, structure and deployment of the Somali National Army, frequent changes in allegiance by militias and the complexity of interactions among clan militias, the Somali National Army and regional forces rendered the identification of perpetrators difficult.

Regional forces

7. Various regional forces, mostly composed of clan-based militias, aligned themselves with the emerging federal states and interim administrations, including the Interim Jubba Administration, Galmudug Interim Administration and Interim South-West Administration forces. In addition, Puntland and "Somaliland" maintained their own security forces.

Armed groups

8. Al-Shabaab emerged as an independent militant group around December 2006 after breaking away from the Union of Islamic Courts. While the group's activities

focused on targets within Somalia, it also carried out deadly strikes in the region. Al-Shabaab remained a major threat to Somalia and the region despite significant territorial losses.

9. Ahl al-Sunna wal-Jama'a is a Somali militia that controls parts of Galmudug, including its capital Dhuusamarreeb. It joined forces with the Transitional Federal Government in 2010 to fight Al-Shabaab, presumably in exchange for positions in the Government. Not all members supported the move, and discord emerged. More recently, Ahl al-Sunna wal-Jama'a factions boycotted the creation of the Galmudug Interim Administration and clashes erupted between Ahl al-Sunna wal-Jama'a factions and the Somali National Army.

International forces

10. AMISOM was deployed to Somalia in March 2007 to, inter alia, reduce the threat posed by Al-Shabaab and other armed groups. At the time of writing, in December 2016, its military component comprised troops from Burundi, Djibouti, Ethiopia, Kenya and Uganda. While Ethiopian and Kenyan troops were rehatted into AMISOM in 2012 and 2014, respectively, both continued to also operate bilaterally in Somalia, outside of AMISOM command.

11. Towards the end of the reporting period, the United States of America also intensified its operations against Al-Shabaab in Somalia, including through air and drone strikes.

III. Grave violations committed against children

12. Given the challenging security context, the length of the reporting period and general lack of access for the country task force on monitoring and reporting throughout Somalia, data presented in the present report are only indicative of the scale, scope, patterns and trends of grave violations and the full impact of armed conflict on children. More specifically, the analysis by perpetrators started from 2012, the following sections focus on the period from 2012 to July 2016. In addition, the numbers provided in the sections on abduction and detention cover the period from 2014 to July 2016, given that related disaggregated data were available only from 2014 onwards. From 2012 to 2014, the country task force on monitoring and reporting identified clan militias as either allied with the Somali National Army or, in some cases, Al-Shabaab; they are thus presented under those classifications. Moreover, given that the establishment of interim federal administrations started to gain pace by the end of 2014, some of the clan-based militias evolved into regional security forces while several others remained separate and operated on the periphery of the Somali National Army. Disaggregated data on violations by regional security forces are therefore presented from 2015 onwards. Given the complexity of identifying perpetrators, grave violations that were not attributable to any specific party to the conflict are recorded as "unknown/unidentified armed element".

13. In the light of the above premise, the majority of violations against children were documented in 2012 when the Somali National Army and AMISOM conducted major joint military operations against Al-Shabaab. A downward trend was observed in 2013 and 2014, which was largely attributable to the challenges faced by the

country task force in gaining access for the purpose of monitoring and reporting. Against the background of an intensified military campaign against Al-Shabaab, violations increased again in 2015 and spiked during the first six months of 2016, exceeding the total numbers for 2013 and 2014 and approaching those of 2015.

14. Grave violations against children were carried out with impunity. The breakdown in law and order and the absence of State authority in large parts of Somalia exacerbated the situation. Traditional justice mechanisms were often preferred and led to financial settlements between families, at times in violation of victims' rights and without the enforcement of any other form of punishment against perpetrators.

A. Recruitment and use of children

15. During the reporting period, the country task force on monitoring and reporting verified the recruitment and use of 6,163 children (5,933 boys; 230 girls); more than 30 per cent of those cases were verified in 2012 (2,051). While a downward trend was noted for 2013 (1,293) and 2014 (824), the numbers increased in 2015 (903). A significant increase was documented in the first half of 2016 (1,092), which represented more cases of recruitment and use than for the years of 2014 and 2015. A recurrent pattern of child recruitment and use by the Somali National Army and armed groups was observed during the reporting period. The main perpetrator was Al-Shabaab, with 70 per cent of verified cases (4,313), followed by the Somali National Army (920), Ahl al-Sunna wal-Jama'a (346), regional security forces (193)[1] and unknown armed elements (351). The use of 40 children by AMISOM in support roles was also verified.

Al-Shabaab

16. Approximately 40 per cent of the 4,313 cases of recruitment and use by Al-Shabaab were verified in 2012 (1,789), followed by a decrease in 2013 (908) and 2014 (437). An increase was documented in 2015, with 555 cases, which continued steadily in the first half of 2016 (624).

17. A recurrent pattern of recruitment and use by Al-Shabaab was observed during the reporting period, in particular to reinforce or replenish its ranks following losses during joint AMISOM and Somali National Army operations or ahead of new offensives against the armed group. It is estimated that more than half of Al-Shabaab may comprise children. For example, at least 60 per cent of the Al-Shabaab elements captured in Puntland in March 2016 were children.

18. Children were trained and used in combat, with some as young as age 9 reportedly taught to use weapons and sent to the front lines. Children were used in operations that included the use of explosive devices (see S/2015/801), in addition to support roles, such as carrying ammunitions or performing domestic chores. They were also used as spies. For instance, a 14-year-old boy captured by AMISOM in May 2015 reported that he had been recruited in February 2015 by Al-Shabaab with three other children in Shongolow village, Gedo region, and trained for three months with at least 40 other children aged between 13 and 17. On 1 August 2015,

[1] Galmudug Interim Administration, Interim Jubba Administration, Somaliland and Puntland forces.

Al-Shabaab reportedly opened a training camp in Hagarey village, Gal'guduud region, where the presence of 60 boys aged between 9 and 15 was reported.

19. Al-Shabaab recruited children primarily in rural areas of southern and central Somalia. Schools, madrasas, mosques and religious events were frequent recruitment locations. Reports were received of madrasas having been established for the purpose of recruitment, particularly in Juba Hoose and Juba Dhexe regions (see S/2014/726). Teachers were often coerced into enlisting pupils. For instance, on 16 February 2014, in Waajid district, Bakool region, four boys were recruited by Al-Shabaab, the latter threatening to kill teachers if their students did not enlist. It was also reported that children were recruited from madrasas in refugee camps in Kenya (see S/2015/801).

20. Poverty and lack of opportunities provided incentives for recruitment by Al-Shabaab. Some of the children captured in March 2016 by Puntland authorities reported that they had been approached by Al-Shabaab with the promise of education and livelihoods. In other cases, children were used to pressure their peers to join Al-Shabaab. Information received in October 2016 pointed to an increasing focus by Al-Shabaab on the recruitment of children below the age of 15, whom it considered easier to manipulate.

21. Large numbers of children were abducted by Al-Shabaab for recruitment purposes. For instance, between 3 and 13 December 2015, some 150 children were reportedly abducted. Among those children, the country task force on monitoring and reporting verified information involving 26 boys, aged between 13 and 16, who had been abducted from madrasas and taken to recruitment camps in the Bay region following a refusal by parents to "make their children available" to join Al-Shabaab. Reports were also received of entire villages being forced to give up their children and young boys disappearing en masse from Al-Shabaab madrasas (see ibid.).

22. Children recruited and used by Al-Shabaab were victims of or were exposed to other grave violations, including killing and maiming, during military operations and air strikes targeting Al-Shabaab and subjected to arrest and detention by Somalia security forces during military or search operations.

Somali National Army

23. Recruitment and use by the Somali National Army were verified throughout the reporting period, with 179 cases in 2012, 209 in 2013, 197 in 2014 and 218 in 2015. During the first half of 2016, 117 children were recruited and used by the Somali National Army.

24. Notwithstanding an action plan signed in 2012, the Somali National Army continued to recruit and use children for various tasks, including manning checkpoints and as bodyguards. For instance, on 2 June 2014, a 16-year-old boy was sighted wearing a Somali National Army uniform and carrying a gun in Balcad district, Shabelle Dhexe region. On 3 January 2016, in Diinsoor town, three teenage boys dressed in Somali National Army uniforms were seen with soldiers guarding a senior government official. Two of the boys were carrying guns and were observed on several occasions patrolling and conducting security checks.

25. Information was also received on children being used as spies by the Somali National Army and the National Intelligence and Security Agency. That has put

children in increased danger, as illustrated by executions by Al-Shabaab of children suspected of spying for the Somali National Army or AMISOM. Further information is provided in the sections on detention and killing and maiming.

26. While many children were believed to have joined the Somali National Army because of lack of livelihood opportunities and extreme poverty, others were abducted for recruitment purposes. For instance, on 2 February 2016, a 14-year-old boy was abducted by Somali National Army forces in Baardheere town, Gedo region and brought to a military camp where he received military training. Additional examples are provided in the section on abductions.

Ahl al-Sunna wal-Jama'a

27. The majority of cases of recruitment and use by Ahl al-Sunna wal-Jama'a were verified in 2013 (111) and 2014 (109). Numbers decreased in 2015 (40). During the first half of 2016, 35 cases were verified. Child recruitment and use by Ahl al-Sunna wal-Jama'a were concentrated in the Gedo, Hiraan and Galguduud regions, its main areas of operations.

28. At the beginning of 2015, children were reportedly used during fighting between Ahl al-Sunna wal-Jama'a factions and the Somali National Army to control Guri Ceel town, Galguduud region. For instance, on 24 February 2015, four boys were seen heading to the Ahl al-Sunna wal-Jama'a base in Caabudwaaq town, Galguduud region. The boys reported that they had been called in to support the group in fighting the Somali National Army. Ahl al-Sunna wal-Jama'a also resorted to abductions for recruitment purposes. For instance, on 19 November 2014, a 15-year-old boy was abducted by Ahl al-Sunna wal-Jama'a in Jamaame East district, Juba Hoose region, and reportedly underwent military training.

Regional security forces

29. In 2013, 15 children were recruited and used by "Somaliland" security forces. Three children were recruited and used in 2014 by Puntland forces. In 2015, the Galmudug Interim Administration forces recruited and used 17 children and the Interim Jubba Administration forces recruited and used 3 children. Numbers spiked in 2016, with 155 children recruited and used by Interim Jubba Administration forces (81) representing half the cases, followed by Galmudug Interim Administration forces (74). For instance, on 20 December 2015, a 14-year-old boy was recruited by Interim Jubba Administration forces in Kabasa internally displaced persons camp, Gedo region, after having received one month of military training. The upsurge in numbers is believed to be linked to the increasing activities of regional security forces, in support of the Somali National Army or acting on their own, as the federalization process unfolded.

African Union Mission in Somalia

30. The country task force on monitoring and reporting verified the use of children by AMISOM, namely, 4 in 2012, 14 in 2013, 5 in 2014 and 17 in the first half of 2016. Children were used in support functions and to man checkpoints. For instance, on 8 July 2014, two boys aged 14 and 16 were used in Dhuusamarreeb district by AMISOM forces to collect firewood and prepare meals.

B. Detention for alleged association with armed groups

31. In February 2014, the Federal Government of Somalia adopted standard operating procedures for the reception and handover of children separated from armed groups. The procedures stipulated that the United Nations should be alerted of the presence of children formerly associated with armed groups in the custody of the security forces supported by AMISOM and other allied forces within 72 hours. They also specified that children should be handed over to the United Nations Children's Fund (UNICEF) or other designated entities in the shortest time possible and no later than 72 hours after entering into custody.

32. Notwithstanding the standard operating procedures, the deprivation of liberty of children by security actors remained a major concern, with the country task force on monitoring and reporting verifying the detention of at least 931 children by the Somali National Army, the National Intelligence and Security Agency and regional security forces between January 2014 and July 2016. Children were captured and detained for their alleged association with Al-Shabaab during military and security operations, including in mass security sweeps or house searches. Information indicating that children had been detained based on the suspicion of family members' association with Al-Shabaab was received. The country task force on monitoring and reporting also documented cases of deprivation of liberty of children by Al-Shabaab.

33. The lack of habeas corpus and due process for children deprived of their liberty has been an acute concern. Children were held for periods ranging from a few days to several years without legal redress. During the visit of my Special Representative for Children and Armed Conflict to the internationally funded and co-operated Serendi centre in Mogadishu in August 2014, she found 55 children, held among adults, who had been detained without due process on the suspicion of belonging to or sympathizing with Al-Shabaab. In one instance, a 15-year-old boy said that he had been in the centre for three years without any family contact. The purpose of the centre was to rehabilitate disengaged Al-Shabaab combatants before their reintegration. However, most of the children with whom the Special Representative interacted were not disengaged combatants but had been arrested during security operations.

34. The mandate for interviewing and classifying captured or arrested children into "high-risk" or "low-risk" categories has been held by the National Intelligence and Security Agency. The criteria for classification could not be ascertained by the United Nations and there was no known oversight of the process or procedure implemented by the Agency. Furthermore, classifications could not be challenged, which resulted in children being arbitrarily detained. My Special Representative was informed during her visit that the Serendi centre hosted the children who had been designated as "low-risk". It is of great concern that the United Nations has been unable to ascertain the fate of other captured or arrested children designated as "high-risk". I am extremely worried about the fate of such children and I urge the authorities to allow full access by the United Nations to all children arrested and captured during military and security operations.

35. Detention was also utilized as a tactic for gathering intelligence, with children being used as informants and spies by the National Intelligence and Security

Agency and the Somali National Army. In July 2016, during a meeting with the ministerial committee mandated to investigate allegations of children having been used by the National Intelligence and Security Agency as informants, my Special Representative for Children and Armed Conflict was given the committee's final report. It indicated that children had been used by the Agency between 2012 and 2014 to identify members of Al-Shabaab through "finger pointing". That was confirmed by children who had been detained in Serendi and whom my Special Representative met in 2014 and 2016. The practice has put children in severe danger, as illustrated by executions by Al-Shabaab of children suspected of being spies. Children used for gathering intelligence are also extremely vulnerable to retaliation from their own communities and their reintegration is compromised. More examples are provided in the section on the killing and maiming of children.

36. Reports of rape and ill-treatment of children in detention were received. Eleven cases of girls raped after being arrested were documented in 2013. In February 2014, in Beledweyne district, an 8-year-old girl was raped in custody by Somali National Army elements before being released the following day. The children whom my Special Representative talked to during her visit in July 2016 also mentioned ill-treatment and repeated rape in Serendi. In that regard, the ministerial committee's report confirmed that the conditions in which children and adults were kept in Serendi had created an environment conducive to systematic human rights violations. That information was corroborated by the most recent report of the Monitoring Group on Somalia and Eritrea (S/2016/919).

37. When children were brought before a court, concerns were raised about the use of military tribunals, the lack of application of juvenile justice standards and adherence to international obligations, including the age of majority, which is fixed at age 15 in Puntland. For instance, in March 2016, 66 children from southern and central Somalia, brought by Al-Shabaab to Puntland, were captured and imprisoned. On 16 June, a military court in Garoowe sentenced 12 of the children to death for their association with Al-Shabaab. They were transferred to Boosaaso prison and held together with adults. Twenty-eight other children, aged between 15 and 17 years, were sentenced on 17 September by a military court to between 10 and 20 years of imprisonment. The 26 children aged 12 to 14 years were released after being imprisoned for seven months. The United Nations continued to advocate for the children's protection; further details are provided in the last section of the report.

38. Children were also detained by AMISOM. For example, in 2015, 24 boys were detained and later released for alleged association with Al-Shabaab. In one instance, three boys were arrested by AMISOM forces in Marka town, Shabelle Hoose region, in response to Al-Shabaab attacks against AMISOM on 6 April 2015. They were later released. Reports of AMISOM handing over children captured during operations to the Somali National Army and the National Intelligence and Security Agency were also received.

C. Killing and maiming

39. Between 2012 and 2016, the country task force on monitoring and reporting verified the killing and maiming of 3,406 children, comprising 732 in 2012, 731 in

2013, 538 in 2014 and 753 in 2015. In the first half of 2016, 652 children were killed and maimed (500 boys; 152 girls). After a decrease in 2014, the numbers increased again in 2015 (753), which represented 22 per cent of the total number of verified cases of killing and maiming. Unknown armed elements were responsible for 43 per cent of the total number of violations (1,505), followed by the Somali National Army (949), Al-Shabaab (758), AMISOM (108), regional security forces (30),[1] Ahl al-Sunna wal-Jama'a (14), the Kenyan Defence Forces (32) and the Ethiopian National Defence Forces (5) operating outside AMISOM command, unidentified air forces (4) and United States forces (1). Obtaining information on incidents, including disaggregated data on fatalities, remained a challenge owing to security limitations.

40. The majority of child casualties were the result of crossfire, sometimes during joint Somali National Army/AMISOM operations, mortar shelling, improvised explosive device attacks and incidents involving explosive remnants of war. Targeted attacks against the Somali National Army, AMISOM and Federal Government of Somalia officials and increasing asymmetric attacks against soft targets also led to child casualties. For instance, on 1 June 2016, two boys aged 16 and 17 were killed and three others injured when Al-Shabaab launched a suicide attack on the Ambassador Hotel in Mogadishu. Casualties attributed to the Somali National Army occurred primarily in the context of military operations or in indiscriminate shootings following improvised explosive device-related attacks. For example, on 12 April 2016, a 13-year-old boy was killed by the Somali National Army when it responded to an attack on its convoy with indiscriminate shooting in Ceel Awmuude village, Banadir region.

41. The country task force on monitoring and reporting documented public executions by Al-Shabaab of children suspected of spying, carried out to instil fear in communities. For instance, on 21 March 2015, a 16-year-old boy suspected of being a Government spy was beheaded by Al-Shabaab. In the first three months of 2016, 21 children, including 3 girls, were executed by Al-Shabaab on suspicion of spying. On 15 March 2016, in Heegan village, Juba Dhexe region, a 17-year-old boy accused of spying for the Interim Jubba Administration was executed by a firing squad, after which his body was taken around town as an example.

42. A total of 108 cases of killing and maiming were attributed to AMISOM: 21 in 2013, 18 in 2014, 52 in 2015 and 17 in the first half of 2016. They occurred primarily in the context of operations against Al-Shabaab or in indiscriminate fire responding to attacks. The spike in 2015 is believed to be linked to Operation Juba Corridor. For example, eight children were killed in two incidents in Marka district, Shabelle Hoose region, in July 2015. On 19 December, a 17-year-old boy and a 14-year-old girl were killed when AMISOM forces opened fire indiscriminately, after their convoy was targeted by a bomb between Golweyn village and Mareer town, Shabelle Hoose region.

43. Children were also victims of air strikes by the Ethiopian National Defence Forces and the Kenyan Defence Forces, operating outside AMISOM command and control, and United States forces. For instance, on 24 July 2015, five boys aged between 5 and 16 were killed during air strikes carried out by the Ethiopian National Defence Forces between Tayeeglow and Buurhakaba districts. In an incident attributed to the Kenyan Defence Forces, 6 boys died and 12 others were

seriously injured on 21 July 2015 in an air strike on a madrasa in Baardheere district. In another incident, on 24 March 2016, a boy was killed and three other boys and two girls aged between three and 14 were maimed in their house, in a Kenyan Defence Force air strike in Farashabeele village, Juba Dhexe region. The Kenyan Defence Forces claimed that their target was an Al-Shabaab military training camp. In another incident, on 15 May 2016, two bodies, including that of a 16-year-old boy, were found in Sabiid village, on the outskirts of Afgooye town, following an air strike by the United States forces in the area. It was reported that Sabiid village, which had been under Al-Shabaab control, experienced aerial bombardment allegedly by United States forces between 13 and 14 May 2016. While United States forces had intensified air and drone strikes in Somalia, that was the only case that the country task force on monitoring and reporting verified.

D. Rape and other forms of sexual violence

44. The country task force on monitoring and reporting verified that 780 children, including five boys, were victims of rape and other forms of sexual violence between 2012 and 2016. Twenty-seven per cent of the cases were verified in 2012 (211), with a downward trend in 2013 (154) and 2014 (76). The numbers spiked in 2015 (174) and in the first half of 2016 (165). Unknown armed elements were responsible for almost half the cases (344), followed by the Somali National Army (284), Al-Shabaab (124), Ahl al-Sunna wal-Jama'a (12) and regional forces (11)[1]. The rape of five girls was attributed to AMISOM (contingents of Ethiopia (three), Uganda (one) and Djibouti (one)). The scale of sexual violence affecting children is believed to be underrepresented owing to fear of stigmatization and reprisals and to the lack of adequate support services for survivors.

45. Continued fighting and insecurity made children, especially girls, vulnerable to sexual violence, including forced marriage. Girls in internally displaced person camps were particularly at risk. For example, in 2013, 21 children were raped in 19 separate incidents by Somali National Army soldiers and unknown armed elements inside internally displaced person camps. On 13 June 2016, a 15-year-old girl was raped by a Somali National Army member in Alla Magan internally displaced person camp, Mogadishu, on her way to a latrine. The case was reported to the police but, as at December 2016, no action had been taken.

46. Girls were also at risk while performing domestic chores. For instance, on 12 March 2016, a 17-year-old girl was raped by an Al-Shabaab element on her way to the market in Banadir Jadiid village, Juba Dhexe region.

47. Rape and forced marriage often occurred in the context of abductions. For example, on 16 June 2016, a 16-year-old girl was abducted from her house and gang-raped by five Somali National Army soldiers in Quracle village, Bakool region. It was reported that the rape was an act of retaliation because her parents had accepted an Al-Shabaab member's marriage proposal. She was stabbed with a knife in her breast and transferred to Mogadishu for treatment. While the case had been reported to local authorities, no action had been taken at the time of writing. In an incident involving Al-Shabaab on 22 July 2016, a 16-year-old boy was abducted by two Al-Shabaab elements in Ceel Guduud village, Gedo region, and sodomized.

48. Children were also raped in detention, as mentioned in the section on detention.

E. Attacks on schools and hospitals

49. A total of 235 incidents of attacks on schools and hospitals were verified. Lack of access to conflict-affected regions hampered the verification of reported incidents. While data on attacks on schools and hospitals, their military use and arrests of teachers on security grounds are normally accounted for separately, the country task force on monitoring and reporting was unable to provide disaggregated data, given the extended reporting period. The numbers presented therefore also include cases of military use of schools and hospitals and arrests of teachers on security grounds.

50. Thirty-three per cent of a total of 195 incidents of attacks on schools were verified in 2012 (66), with a downward trend in 2013 (54) and 2014 (18). The numbers increased again in 2015 (24) and 2016 (33). The first six months of 2016 saw a dramatic increase in incidents, exceeding those verified for the entire years of 2014 and 2015. Al-Shabaab was responsible for over half the total of cases (112), followed by the Somali National Army (60), unknown armed elements (15), AMISOM (4), Ahl al-Sunna wal-Jama'a (2), Galmudug Interim Administration forces (1) and the Kenyan Defence Forces (1). Cases concerning the Somali National Army involved the military use of schools and the arrest of teachers on security grounds.

51. Schools were destroyed and looted during confrontations between parties to the conflict. Education personnel were threatened, killed and detained. For instance, on 25 February 2016, one madrasa was destroyed in Caga Dhiig village, Banadir region, after being hit by Al-Shabaab mortar shells targeting the presidential palace. Three boys were killed and two boys and a girl were maimed.

52. In addition, Al-Shabaab disrupted the learning of hundreds of children and distributed jihadist booklets. For example, on 27 October 2014, Al-Shabaab elements raided a Koranic school in Aadan Yabaal district, Shabelle Dhexe region, and gave a lecture, which disrupted the learning of 125 students. As mentioned above, Al-Shabaab also used schools for recruitment.

53. Schools were also used for military purposes. For instance, in November 2015, the Somali National Army used two primary schools in Diinsoor town, Bay region, believed to be attended by 500 children. One of the primary schools was still being used by the Somali National Army at the time of writing.

54. Between 2012 and 2016, 40 incidents of attacks on hospitals were verified. They comprised cases of damage to clinics and health-care centres during fighting, looting of medical supplies and equipment and military use of hospitals. While 30 per cent of incidents were verified in 2012 (12), a downward trend was noted in 2013 (11), 2014 (5) and 2015 (5). The numbers spiked during the first six months of 2016 (seven), exceeding those verified in 2014 and 2015, respectively. Al-Shabaab was responsible for nearly half the cases (16), followed by unknown armed elements (14), the Somali National Army (7) and AMISOM (3). In one incident on 23 December 2015, Somali National Army forces looted all the medicine from a

mother and child health-care facility in Garas Weyne town, Bakool region. In another incident, on 16 March 2016, Afmadow hospital was partially destroyed in crossfire when Al-Shabaab attacked a police camp.

55. Seven attacks on schools and hospitals and military use were attributed to AMISOM, namely, one in 2012, two in 2014, two in 2015 and two in 2016. For instance, on 2 October 2014, a madrasa was destroyed in Ceel Garas town following heavy shelling by AMISOM forces targeting Al-Shabaab. In one of the cases of military use, AMISOM forces used Ceel Adde secondary school, in Gedo region, for six days from 20 January 2016 after their base was attacked by Al-Shabaab. Attacks on hospitals by AMISOM in 2015 involved the looting of medicine. For example, on 1 August 2015, AMISOM troops looted all the medicines from the Huda pharmacy in Ceel Laheley village, Galguduud region, leading to its closure.

56. As mentioned in the section on killing and maiming, a Koranic school was struck when the Kenyan Defence Forces operating outside of AMISOM command conducted an air strike against Jungal village, Baardheere district, Gedo region, on 21 July 2015. Six boys died and 12 others were seriously injured as a result of the air strike.

F. Abductions

57. Between 2014 and 2016, 1,023 abductions of children were verified. The numbers spiked in 2015 (523) compared with 2014 (133). In the first six months of 2016 alone, 367 abductions were verified. Over 85 per cent of abductions were attributed to Al-Shabaab (873), followed by unknown armed elements (123), the Somali National Army (25) and Ahl al-Sunna wal-Jama'a (2).

58. Abductions were used primarily as a tactic for recruitment, with a spike in 2015 corresponding to the launch of Operation Juba Corridor. For instance, on 14 July 2015, while playing and watching football, 13 boys aged between 14 and 17 were abducted by Al-Shabaab in Aadan Yabaal town, Shabelle Dhexe region. Several of the children captured in March 2016 by the Puntland authorities reported that they had been abducted by Al-Shabaab in southern and central Somalia and brought to Puntland by boat. In an incident involving the Somali National Army, on 28 February 2016, a 16-year-old boy was abducted from a football field by Somali National Army forces in Maganey village, Gedo region and taken to Mogadishu for training. On 8 June, three boys aged between 15 and 16 years were abducted by Somali National Army forces from a madrasa in War Dhujiiley village, Bakool region and taken for military training to a camp in Rab Dhuure town.

59. Abductions were also linked to rape, sexual violence and forced marriage.

G. Denial of humanitarian access

60. The country task force on monitoring and reporting verified 76 incidents of denial of humanitarian access, affecting the delivery of assistance to children. Humanitarian access was particularly challenging throughout 2012, with the number of incidents being more than double the number (31) in each of the following years (10 incidents in 2013, 15 in 2014 and 12 in 2015). Eight cases were verified in the

first half of 2016. The majority of incidents were perpetrated by the Somali National Army (24), Al-Shabaab (24) and unknown armed elements (24), followed by Ahl al-Sunna wal-Jama'a, Puntland, Galmudug Interim Administration and Interim Jubba Administration forces (1 each).

61. Humanitarian access was seriously restricted by ongoing military operations and a highly volatile security environment. In addition, Al-Shabaab blockades on supply routes and in strategic towns, obstructive "regulation" and taxation by federal and regional government officials and the politicization of aid were key challenges impeding humanitarian access (see S/2015/801). In an incident on 23 June 2016, Somali National Army soldiers opened fire at a food distribution site in Wajer, Banadir region, after they were informed that only identified recipients were entitled to receive food. At least five children were injured.

62. Humanitarian personnel were killed, physically threatened and kidnapped. For example, in 2015, 17 humanitarian personnel were killed, including 4 UNICEF staff killed in a suicide attack by Al-Shabaab on 20 April 2015 in Garoowe, Puntland.

IV. Progress in addressing grave violations against children

A. Progress in the legislative framework

63. During the reporting period, the Federal Government of Somalia strengthened its legislative framework to protect children. For example, in the Provisional Federal Constitution, a child is defined as a person below 18 years of age. While at the time of writing, child recruitment and use had not yet been criminalized, article 29 of the Provisional Federal Constitution contained specific provisions for the protection of children affected by armed conflict, including the right of children not to be used in armed conflict. It also stipulated that children may be detained only as a measure of last resort, for a limited period of time and in appropriate conditions. Those provisions had yet to be implemented.

64. Following advocacy by the United Nations, Somalia ratified the Convention on the Rights of the Child in October 2015. Earlier, in March 2014, the country ratified the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182), which includes provisions on child recruitment in armed conflict. The United Nations also continued to advocate for the ratification of the Optional Protocol to the Convention on the Rights of the Child related to the involvement of children in armed conflict. In October 2015, Somalia endorsed the Safe Schools Declaration.

65. Notwithstanding the progress made, Somalia's international obligations under the Convention on the Rights of the Child have not yet been domesticated. Legal ambiguities persist regarding the definition of a child between the Provisional Federal Constitution and the regional constitution of Puntland, which defines a child as anyone below the age of 15, in contravention of the Provisional Federal Constitution and the Convention on the Rights of the Child. That has led to children being detained in Puntland, sometimes together with adults, and sentenced to heavy penalties, in some cases to death, for their alleged association with Al-Shabaab.

B. Adoption and implementation of two action plans

66. Following the visit of my former Special Representative for Children and Armed Conflict to Somalia in November 2011, the Transitional Federal Government signed an action plan to end and prevent child recruitment and use by the Somali National Army on 3 July 2012. On 6 August 2012, a second action plan was signed to halt the killing and maiming of children by the Somali National Army. The Federal Government of Somalia subsequently endorsed the two action plans.

67. As mentioned earlier, the Federal Government of Somalia adopted standard operating procedures for the reception and handover of children separated from armed groups in Somalia in February 2014. On 27 May 2014, the Ministry of Defence established a child protection unit at its headquarters to coordinate activities developed within the framework of the action plans and mainstream child protection in the Somali National Army. Moreover, in 2016, the Somali National Army Deputy Chief of the Defence Forces issued a general staff order on the Army's recruitment policy stating that an individual must be at least 18 years old to enlist. While those measures were positive steps, a high number of children continued to be recruited, used, killed and maimed by the Somali National Army and no disciplinary or judicial actions have been taken against perpetrators.

68. In collaboration with the European Training Mission for Somalia and AMISOM, the country task force on monitoring and reporting trained more than 9,500 SNA soldiers on child protection. Child protection training was also delivered to 2,045 AMISOM commanders and officers.

69. A mobile screening unit, set up in 2014 and comprising the United Nations, AMISOM, the European Union Training Mission for Somalia and the Somali National Army, screened 4,278 Somali National Army members and 200 police officers. On 8 June 2015, the mobile screening unit inspected 1,096 militiamen drawn primarily from Interim Jubba Administration forces for integration into the Somali National Army in Kismaayo. Thirty-six children were detected and referred to UNICEF. However, a sustainable mechanism to ensure systematic inspections of units remains to be established.

70. During the period under review, 4,260 children (3,328 boys; 932 girls) benefited from United Nations-supported community-based reintegration services, including psychosocial assistance, back-to-school support programmes and vocational training.

71. Notwithstanding the progress achieved, significant gaps remain and efforts need to be sustained to fully implement the two action plans, including the criminalization of child recruitment and use, the issuance of command orders prohibiting and sanctioning child recruitment and use and other grave violations and the systematic screening of troops. The lack of accountability for violations of child rights and widespread impunity also need to be addressed.

C. Advocacy

72. The United Nations systematically advocated with the parties to the conflict to end and prevent grave violations. Somalia is one of the countries concerned by the

"Children, Not Soldiers" campaign launched in March 2014 by my Special Representative for Children and Armed Conflict and UNICEF with the aim of ending and preventing the recruitment and use of children by Government forces in conflict by 2016.

73. During her visit to Somalia in August 2014, my Special Representative for Children and Armed Conflict noted with concern the situation of 55 children held at the Serendi Centre and called for their immediate transfer to United Nations-supported reintegration programmes. Following sustained advocacy by my Special Representative and the country task force on monitoring and reporting, 64 children were handed over in September 2015 to a local child protection partner in Mogadishu.

74. Engagement by the country task force on monitoring and reporting also resulted in 15 children identified at the Hiil-Walaal centre in Beledweyne, Hiraan, and 43 children captured by the Galmudug Interim Administration forces in March 2016 being handed over in November 2015 and May 2016, respectively, to a local child protection partner for reintegration purposes. One boy was handed over to his mother in Gaalkacyo.

75. In parallel, the country task force on monitoring and reporting spearheaded discussions with the Puntland authorities on children captured by their forces in March 2016 and detained for alleged association with Al-Shabaab. After receiving access, the task force provisionally identified 66 children. Twelve of them were sentenced to death by a military court on 16 June 2016 and transferred to Boosaaso, where they were held together with adults. The final age assessment determined that of those 12 children, 3 were over 18 years of age, including 1 who will nevertheless be considered as a child owing to mental disability.

76. During her second visit in July 2016, my Special Representative for Children and Armed Conflict met with the children detained in Puntland. She exhorted the Puntland authorities not to execute the children, to overturn the death penalty and to facilitate their reintegration and family reunification. She urged federal and regional authorities to swiftly resolve existing legal ambiguities on the definition of a child and domesticate the country's international obligations under the Convention on the Rights of the Child. The Puntland authorities assured that children below age 18 would not be executed. My Special Representative for Somalia and the UNICEF Representative for Somalia expressed the same concerns in their engagements with the President of Puntland. I have personally appealed to the President of the Federal Republic of Somalia and stressed that children suspected of association with Al-Shabaab are primarily victims and should be treated as such. While 28 children, aged between 15 to 17 years, were sentenced on 17 September 2016 by a military court in Garoowe to 10 to 20 years of imprisonment, Puntland authorities agreed to the release of 26 other children, aged between 12 and 14 years. On 5 October 2016, the children were handed over to a local partner in Mogadishu for their reintegration. At the time of writing, there had been no progress on the revocation of the death penalty or on the fate of the children who received heavy sentences.

77. My Special Representative for Children and Armed Conflict met on several occasions with the African Union and the AMISOM leadership to raise concerns about grave violations. She urged AMISOM to investigate reports and allegations and ensure accountability for perpetrators. She called on them to take measures to

prevent future violations and fully implement the 2014 Force Commander directive on the protection of children's rights during and after operations. My Special Representative advocated that AMISOM should systematically alert the country task force on monitoring and reporting whenever its forces capture and hand children over to the Somali National Army and the National Intelligence and Security Agency.

V. Observations and recommendations

78. I am deeply troubled by the scale and nature of grave violations against children in Somalia and their increase since 2015. I am particularly alarmed by the extent of the recruitment and use and abductions by Al-Shabaab and, in particular, that children may represent a large part of the group's forces. I urge all parties to the conflict to immediately halt grave violations, prevent future ones and abide by international humanitarian and human rights law.

79. I am encouraged by the efforts of the Federal Government of Somalia to implement the two action plans signed in 2012 and strongly urge them to accelerate their implementation, including through the criminalization of child recruitment and use, the issuance of command orders prohibiting and sanctioning recruitment and other violations and the systematization of troop screenings. I call upon the donor community to support the timely and effective implementation of the action plans, including by making funding available.

80. I welcome the ratification by Somalia of the Convention on the Rights of the Child, a decisive step towards a stronger national legal framework, and strongly encourage the ratification of the Optional Protocol relating to the involvement of children in armed conflict. I urge federal and regional authorities to swiftly domesticate the country's international obligations under the Convention and resolve existing legal ambiguities in respect of the definition of a child.

81. I am deeply concerned at the unacceptably high number of children killed and maimed, including in joint Somali National Army/AMISOM operations and in air strikes by parties operating bilaterally in Somalia. I urge all parties to the conflict to uphold their obligations under international law, put in place measures to minimize the effect of armed conflict on civilians, especially children, and ensure accountability.

82. I urge Somalia and international partners to ensure that all disarmament, demobilization and reintegration programmes and security sector reforms take into account the rights, specific needs and protection of children affected by armed conflict and that existing vetting mechanisms are strengthened. The release and reintegration of children must respect due process, be in line with international law and standards and prioritize options that uphold the best interests of the child. I call upon Member States and the donor community to support the release and reintegration of children while exercising due diligence.

83. I welcome the release and handover to child protection actors of children detained in the Serendi and Hiil-Walaal centres and of children captured in Galmudug. I am deeply disturbed, however, by the scale and nature of the detention of children on national security charges in violation of applicable international law

and the standard operating procedures for the reception and handover of children separated from armed groups. I am extremely worried by the absence of clear criteria designating the classification of children captured or arrested into categories and the lack of oversight of National Intelligence and Security Agency procedure in that regard. I thus urge the Federal Government of Somalia to ensure greater transparency and due process and to provide information to the United Nations about the fate of children labelled as "high-risk" and to prevent further harm to them.

84. I am also alarmed by the use of detention as a tactic to run intelligence operations and counter-terrorism activities with children used as spies. Not only are children put in immediate danger, but their reintegration is also compromised. I am encouraged by the willingness of the Federal Government to address that particularly abhorrent issue and I urge them to treat children associated with armed groups primarily as victims, with the best interests of the child and international protection standards as guiding principles.

85. I welcome that, on 5 October 2016, 26 of 64 children detained for their alleged association with Al-Shabaab were released by the Puntland authorities and handed over to the United Nations. I am deeply concerned, however, that children were sentenced to death or to heavy sentences for their alleged association with Al-Shabaab. I urge the Puntland authorities to revoke the death penalty and the sentences, swiftly facilitate the children's release and continue to work with the United Nations and the donor community to support reintegration programmes and reunification with their families.

86. Widespread impunity for grave violations against children is of grave concern, and I urge the Federal Government of Somalia to swiftly address the lack of accountability, including through the investigation and prosecution of perpetrators of grave violations against children. I call upon the donor community to provide technical and financial support to the efforts of the Federal Government to strengthen its judicial and rule of law institutions.

87. I pay tribute to AMISOM and the Somali security forces for their efforts and sacrifices. I urge AMISOM and the African Union to investigate reports and allegations of grave violations against children by their troops and ensure accountability for perpetrators. In that regard, I underline the importance of the full implementation of the human rights due diligence policy in regard to support to AMISOM. Furthermore, I invite AMISOM to fully implement the Force Commander directive on the protection of children's rights and to comply with the aforementioned standard operating procedures signed by the Federal Government of Somalia. I call upon AMISOM to systematically alert the United Nations whenever its forces capture and hand children over to the Somali National Army and the National Intelligence and Security Agency to enable adequate follow-up on the situation of those children and ensure their protection.